

February 16, 2006

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 RE: Review of policies and procedures for implementation of WorkFirst
 sanction policies

As per our contract agreement we have reviewed documents summarizing the proposed WorkFirst sanction policies and procedures, as well as related implementation plans, to determine consistency with the Governor's WorkFirst sanction policy directives as described in her memo of November 10, 2005 to the members of her WorkFirst Subcabinet. This memo describes our review process (Part 1); summarizes our observations (Part 2); and provides detailed comments and observations (Part 3).

Part 1: Review Process

We reviewed the following documents:

- 1) "Comparison of Current and New Sanction/Non-Compliance Sanction Policies," (DSHS, 1/4/06);
- 2) "Sanction to Non Compliance Sanction" (DSHS, 12/29/05);
- 3) "Second and Subsequent NCS Sanctions" (DSHS, no date);
- 4) "Attachment B: Sanction Review Criteria Recommendations" (DSHS, no date);
- 5) "Roll-Out of Non Compliance Sanction (NCS) Policy" (DSHS, no date);
- 6) Draft of WAC 388-406-0065 (DSHS, no date);
- 7) Draft of WAC 388-406-0010 (DSHS, no date);
- 8) Draft of WAS 388-310-1600 (DSHS, no date); and
- 9) Memo from John Clayton, CSD Director, "Directive to Implement WorkFirst Strategies," dated 12/19/05.
- 10) "Sanction Policy for Leg." (DSHS, no date)

Our review addressed two issues: (1) the consistency of the written policies and procedures with the Governor's policy directives, and (2) implementation issues that could result in incomplete or inconsistent application of the new sanction policies.

To assess the *consistency of policies and procedures* with these goals, we summarize content from the documents (above) that describes specific policies, procedures, planning, monitoring and evaluation activities relating to each of the directives in the Governor's memo (part 2(d)).

To assess *implementation issues* we note specific elements of the policies and procedures (1) that were not clearly defined or described in the documents we reviewed; (2) that may be difficult to implement in a consistent manner across caseworkers, local offices and regions; or (3) that may not fully address a specific goal or question in the Governor's memo.

Part 2: Summary observations/questions:

Consistency with the Governor's directives

The documents we reviewed provide detailed policies and procedures relating to the directives under item 2(d) of the Governor's November 11, 2006 memo. The documents provide information that is consistent with specific directives in the memo, including:

- Establishing policies and implementation steps for imposing initial sanctions and non-compliance or full-family sanctions after six months;
- Creating plans for reviewing all families who could be subject to sanctions;
- Establishing individual case review procedures to ensure that a non-compliance sanction decision is not made by a single individual;
- Creating procedures for conducting a child safety review; and
- Establishing procedures designed to assure consistency in the application of sanctions through specific required and recommended activities at each stage of the sanctioning process; through requirements for documenting client circumstances and worker and agency activities; through the use of multi-party staffings to reach decisions; and through multiple review processes for cases in which a non-compliance sanction is imposed.

The documents provide limited or no detailed information about new policies or changes in procedures relating to two specific directives from the Governor:

- Item 2(d) iv: "Establish mechanisms to address the consequences of societal issues like domestic violence and cultural barriers; and

WorkFirst Response

Our intent is to continue with existing mechanisms for serving individuals with limited English proficiency (LEP) or family violence issues. Currently, computer generated notices are sent in 8 languages. In addition, a workgroup is meeting with LEP providers to make sure that the options for LEP clients are as robust as those working through the regular pathway.

- Item 2(d) v: “Work with community and faith-based organizations to help those who are at highest risk of sanction.

WorkFirst Response

The most available avenue for increased engagement with community and faith-based organizations is through the local planning areas (LPAs). Representatives of LPAs will be invited to regional partner meetings and attended the WorkFirst Partners for Change kick-off. LPA partners will be invited to attend local training regarding the new requirements and will be involved in developing local plans.

Implementation Issues

We identified a number of implementation issues related to policies or procedures that were not clearly defined or described, that may be difficult to implement in a consistent manner, or that may not fully address specific directives in the Governor’s memo. Here, we summarize the most significant implementation issues, then follow with detailed analysis that more fully explicates these points and reflects more detailed implementation issues.

- A new target for sanction rates of 8 percent is established (a little more than half of the current rate). This new target will create strong incentives for curing sanctions or for not imposing new sanctions even where appropriate. Also, because the target is not adjusted for local differences in client or economic characteristics it could lead to geographic inconsistencies in application of sanctions.

WorkFirst Response

We agree that sanction “targets” are not appropriate. The 8% goal was used to reengage as many people who are currently in sanction as possible. There will not be an ongoing “target” or “goal” for sanctions. The focus will be on the goal of engaging clients. Sanctions should be imposed on a consistent basis statewide (based on the case characteristics and not individual case worker determination).

- The policy documents outline new mandates to identify barriers and strengths, reengage families, evaluate and assess families, implement holistic and positive prevention strategies, and involve additional partners in case staffings. These are important and worthy goals, but the policy documents do not fully define specific goals, processes, or procedures that would create consistent and equitable application of these principles.

WorkFirst Response

Clarification will be provided in the field manual and in training materials. Already, some clarification has been provided with certain positive prevention strategies, such as increased use of diversion cash assistance and more consistent evaluation of unemployment insurance eligibility.

- Information about sanctions overturned under the case reviews currently being undertaken could be summarized to help all offices improve consistency and equity in future sanction application or to inform new state-level policies or processes designed to improve consistency.

WorkFirst Response

We agree. There has been a considerable reduction in the number of cases in sanction. More evaluation is needed to identify whether these cases have begun participating in WorkFirst thereby “curing” the sanction or whether they were inappropriately placed in sanction.

- Reviews of sanction cases at the local office and state level can provide assurance that sanctions are appropriately applied, but will miss any inconsistencies that result in decisions *not* to apply sanctions. The failure to sanction in cases with noncompliant behaviors could also lead to inconsistencies, inequities, or disproportionalities in the overall sanction process and rates.

WorkFirst Response

We agree. The WorkFirst Performance team will develop a plan for auditing case records to identify consistent application of sanction practices.

Part 3. Detailed Analysis

The following sections provide detailed information on policies and procedures that relate to each element in the Governor’s directive and identify specific implementation issues or questions.

Directive: *“Develop and implement a plan for a non-compliance sanction to be imposed after six months of non-participation” (“Directive to Implement WorkFirst Reform,” 11/10/05, 2(d))*

The proposed sanction policy will impose a full-family sanction after 6 consecutive months of nonparticipation (“Comparison of Current and New Sanction/Non-Compliance Sanction Policies,” 1/4/06, p. 1). For the first 6 months of a sanction, families will continue to receive a 60% grant. After 6 months of non-compliance, a non-compliance sanction (NCS) or full-family sanction will be imposed and the case will be closed. If a family later returns to TANF after the first NCS sanction, only 3 months of nonparticipation will be required to incur another NCS sanction (p. 1).

At any time, compliance can be established through 4 consecutive weeks of participation in required activities. Participation in part of the sixth month can count toward the required 4 weeks if a family reapplies for TANF (p. 3).

In order to receive a cash grant after exiting in sanction status, families must first participate in required activities for 4 weeks, at which time they will receive aid for the 4

weeks since they were determined financially eligible for TANF (“Sanction to NCS,” 12/19/05, p.1). Under the new policy, families who leave TANF in sanction status will return to TANF in sanction status if they return within 6 months of leaving. If they return later than 6 months after leaving, then they will not return in sanction status (Draft of WAS 388-310-1600).

Implementation issues

1. The policy documents outline clear processes to implement the non-compliance sanction.

WorkFirst Response

Further clarification will also be provided in the WorkFirst manual.

Directive: ***“Immediately review all families that could be subject to sanction to ensure the state and its contractors have fulfilled their responsibilities to evaluate, assess, and refer parents equitably and fairly, and implement any resulting individual and programmatic improvements”*** (“Directive to Implement WorkFirst Reform,” 11/10/05, 2(d)(i))

In his 12/19/05 memo, CSD Director John Clayton asked regional offices to complete a case review of *all* families in sanction status during January and February 2006 (p. 4). As part of this review, caseworkers should reverse any sanctions that were not applied in accordance with WorkFirst policies and work with legitimately sanctioned families to cure the sanction. Each office must also implement a “holistic and positive prevention strategy” to link clients with services such as Child Support, Basic Food, Medical Assistance, UI, Child Care, and Diversion by March 1, 2006 (p. 3).

The CSD has also established a goal of reducing the sanction rate and increasing participation in countable WorkFirst activities. The CSD will review the sanction rate monthly and has set a goal of 8% of adult-headed cases (compared to the June 2005 rate of 15.3% of adult-headed cases; p. 2-4).

Implementation Issues:

1. The policy documents do not define standards against which to evaluate the Governor’s goal of *evaluating, assessing, and referring clients equitably and fairly* or procedures for making these evaluations. Although the new review processes are likely to improve equity, in the absence of these standards and procedures it will be difficult to evaluate the issues of equity and fairness in the delivery of services or the imposition of sanctions.

WorkFirst Response

The monthly reviews of data by WorkFirst Sub II will look at activity and sanction data by region and CSO. In addition we will identify research questions for further analysis and evaluation.

2. The January/February review of all currently sanctioned cases is aimed at the goal of reducing the proportion of TANF adults in sanction status from 15.3 to 8 percent. The documents do not provide information on how the 8 percent target was set and whether there is evidence that this is the appropriate level. Given that the proportion of cases in sanction could be reduced in a number of ways – including engaging clients to cure sanctions, reversing prior sanction decisions, or closing sanctioned cases – this performance standard could have unintended consequences in practice. If this is used as a performance target in the future, it could also create incentives to avoid sanctioning families.

WorkFirst Response

We agree that an ongoing performance target should not be established and could be contrary to the equitable and fair application of the sanction policy.

3. The CSD Management Indicators listed in the 12/19/05 memo (John Clayton, Director CSD) stress consistency in program outcomes (including sanction status) across local offices within regions. This does not adjust for variation in the characteristics of the cases across offices or regions. If client characteristics (e.g., education levels) or community characteristics (e.g., unemployment rates) contribute to higher risks of sanctioning, and these vary across offices and regions, it may be more difficult for some offices to meet the target rate of sanctions (8 percent) than it is for others. Pressure to meet uniform targets could create inconsistency in treatment of similar cases across local offices.

WorkFirst Response

We agree. The Government Management Accountability and Performance (GMAP) process will eventually look at variation in the characteristics of clients and the activities of clients at the regional and CSO levels. Race and ethnicity data will be collected on many of the performance measures.

4. The 12/19/05 memo (John Clayton, Director of CSD) directs regional administrators to implement a “holistic and positive prevention strategy” that focuses on linking families to other services. The standards for defining such a strategy, and monitoring its application, are not defined in the documents we reviewed. For example, the CSD Management Indicators monitor caseload processing, case closures, participation in countable activities, and sanctioning rates, but do not include indicators for other dimensions of “holistic and positive prevention” such as linking families to other services. In the absence of definitions, protocols, and monitoring of the specific activities that constitute a “holistic and positive prevention strategy,” local offices and staff may emphasize enforcing client compliance with monitored outcomes – such as participation in countable activities – at the expense of unmonitored activities such as linking clients with appropriate supportive services.

WorkFirst Response

The “positive prevention strategies” are front-end strategies, such as diversion cash assistance and unemployment insurance. These measures will be evaluated as part of the review of the comprehensive evaluation process, which will look at the quality, quantity and timeliness of activities along the pathway.

5. The CSD-ordered review of cases in sanction status in January and February 2006 may identify cases that were sanctioned in error. We believe that this information could be useful in determining whether there are systematic errors occurring across local offices or regions with respect to sanctions, or patterns of errors that may reflect inconsistent treatment of some groups of clients. We suggest that the results of these reviews be summarized to improve future consistency in the sanctioning process.

WorkFirst Response

We agree. We will analyze the disposition of the case reviews and will share any lessons learned statewide. In addition, we will review sample cases to evaluate practice consistency.

6. The review of cases that are already sanctioned can provide information about systematic errors and inconsistencies in applying sanctions. It cannot provide information about a second potential source of disproportionality in sanctioning, namely systematic errors or inconsistencies in the decision *not* to apply sanctions. To identify this second source of inconsistent treatment of clients, similar reviews would need to be conducted of cases in which incidents of noncompliant behavior did not lead to sanctioning.

WorkFirst Response

We agree. The WorkFirst Performance team will develop a plan for auditing case records to identify consistent application of sanction practices.

Directive: *“Before applying a non-compliance sanction in an individual case, review the decision so it is not made by a single individual.” (“Directive to Implement WorkFirst Reform,” 11/10/05, 2(d)(ii))*

The policy clearly states that sanction decisions are subject to review. Prior to imposing a partial sanction, caseworkers must hold a case staffing with the client and at least two “appropriate professionals” to determine whether nonparticipation was due to good cause (Comparison Chart 1/4/06, p.1). Under the proposed rules, caseworker decisions about partial sanctions must also receive supervisory approval (Comparison Chart, 1/4/06, p.2).

Further review is required before the imposition of a full non-compliance sanction. The new procedures require an additional case staffing composed of individuals and agencies involved with a case prior to deciding whether to recommend a NCS (Comparison Chart, 1/4/06, p. 2). Clients may also invite additional participants to

the case staffing (“Sanction Policy for Leg”). Decisions about imposing a NCS will be subject to supervisory (CSO administrator) review and approval (Comparison Chart, 1/4/06, p. 2). In addition, there will be a state-level Sanction Review Panel that will review sanction decisions prior to imposing the NCS to ensure that the WorkFirst sanction policies are applied appropriately (Comparison Chart, 1/4/06, p. 2). Further, clients who are sanctioned can still file for a fair hearing at any point in this process (Roll-Out of NCS Policy, n.d.).

Implementation Issues:

1. Proposed “NCS Policy” (1/4/03) and “Sanction to NCS” (12/29/05) require that the NCS case staffing include appropriate WorkFirst partners, other agencies “if they have been previously involved with the case,” and “other providers working with the family.” Examples of potential participants include tribal representatives, refugee providers, and DCFS social workers from Children’s Administration for families currently receiving services. The documents do not specifically define “involvement” with the family and standards for which providers must be included. It is not clear whether the involvement of these providers is required or at the discretion of the worker, and whether these providers must be present at the staffing or just be consulted.

WorkFirst Response

We will clarify to make sure documents are consistent and identify that when an individual client is receiving services from a WorkFirst partner, Children’s Administration, or another agency under a WorkFirst contract, those individuals will be invited to participate in case staffings. If we are aware of other individuals who may be working with the client, and when we have approval from the client to contact them, we can invite them to the case staffing. However, when an individual is working with someone outside of WorkFirst or DSHS, it is the client’s choice whether to involve them in the process. (For example, it would be at the client’s discretion to invite participation of their faith leader, a domestic violence provider, or a counselor.)

2. The lack of clear guidelines on participation of other professionals in case staffings may lead to inconsistencies in the implementation of this policy. The difficulty of reaching and scheduling multiple providers may also create disincentives for caseworkers to involve them in staffings. The lack of guidelines as to whether the participation of other providers is mandatory may also create difficulties for subsequent review of sanctioned cases. For example, it is not clear whether the failure of a representative or agency to be invited or to attend a NCS staffing would be grounds for challenging or reversing a sanction decision.

WorkFirst Response

We will clarify. As indicated previously, we did not intend to require participation of other providers. The goal of such participation is to support the family.

Directive: *“Conduct a child safety review prior to imposing a non-compliance sanction to assess the welfare and protection of the child or children and develop appropriate steps. They may include assuring that other public benefits such as food stamps or Medicaid are maintained, potential use of protective payee services, and accessing other community resources.”* (“Directive to Implement WorkFirst Reform,” 11/10/05, 2(d)(iii))

Before a NCS is imposed, there will be a Child Safety review, which may include informing the Children’s Administration that TANF benefits may be terminated, helping get plans in place for financial support, or linking the family to community resources. The details of the Child Safety Review are yet to be determined (Comparison Chart, 1/4/06, p. 1), but the Comparison Chart, 1/4/06, p. 2, includes involving the Children’s Administration in the case if there is “suspected imminent danger to a child.” Maintaining access to other public benefits will be addressed at the NCS case staffing (Attachment B, p. 2). Attachment B (p. 2) notes that most individuals will probably not show up for the NCS case staffing. In that case, information about available community resources should be mailed to the client.

Implementation issues:

1. The definition of “suspected imminent danger to a child” is not yet defined (Comparison chart, p. 2, 1/4/06). It will be important to establish clear criteria and processes for making this determination.

WorkFirst Response

We will clarify that the language means the current legal requirement and definitions regarding mandatory reporting to child protective services.

2. “Attempt Re-engagement” allows and “NCS Case Staffing” requires a home visit if the client does not attend the NCS case staffing (Sanction to NCS (12/29/05). Although home visits are required under current policy for families sanctioned for four months, the consequences of the NCS put new pressure to reengage families and may require new training and resources to complete these successfully. In the absence of adequate time, resources and training, caseworkers may be inconsistent in the frequency and the quality of their home visit activities.

WorkFirst Response

First, there will be staff time freed up for increased home visits through improved client participation, fewer sanctioned cases, and enhanced participation of WorkFirst partners in the evaluation process. Home visits will only be made as a last resort. It is our hope that through efforts to better engage clients, fewer individuals will be in long-term sanction and those that are will be more willing to attend case staffings. In addition, we will check the training plan to make certain that components related to home visits are included.

3. Although Gov. Gregoire listed protective payee services as a potential part of a child safety review, the proposed WorkFirst policy ends the general use of protective payee services for families in sanction status (Comparison Chart, 1/4/06, p. 1). This raises questions about what will happen to families currently using protective payee services and whether the use of protective payee services could be required to ensure child safety in particular cases of partial sanction or non-sanction cases. We understand that protective payees will continue to be used for teen parents and in cases with documented money management problems.

WorkFirst Response

We will clarify that the change in policy related to protective payee does not preclude the department from using them in cases that need them. The change in policy is to no longer automatically use a protective payee, which is the current practice.

Directive: “Establish mechanisms to consistently apply sanctions” (“Directive to Implement WorkFirst Reform,” 11/10/05, 2(d)(iv))

In addition to the case staffing currently required to determine whether a client had good cause for non-compliance, the proposed sanction policy would require the application of standard process in the automated system before a sanction is imposed. The system would document (1) that the client knew what was required (“did the IRP clearly outline participation requirements, is the person receiving mail, are letters translated when needed, do we have documentation of the failure to participate, did the person have a chance to show good cause, was the sanction notice clear about what caused sanction and how to cure sanction”); (2) that the agency has assessed the client’s strengths and weaknesses and incorporated those into an appropriate IRP; (3) that the agency has contacted the Children’s Administration to inform them that the family faces a sanction; and (4) that agency staff tried to get the family to avoid or cure the sanction (Comparison chart, 1/4/06, p. 1-2). At the sanction case staffing, clients will be reminded of the NCS policy and be told how they can cure sanctions.

Before a NCS is imposed, there will be an additional process of case staffing and review using criteria similar to the initial sanction review process. The NCS review will also document that a child safety review was conducted and that the sanction decision was made by the appropriate combination of staff (Comparison Chart, 1/4/06, p.1-3; Attachment B, p. 2). If a client fails to attend their NCS case staffing, the caseworker is directed to attempt at least one home visit (“Sanction to NCS,” 12/29/05).

In addition, there will be a state-level sanction review panel made up of WorkFirst partners (with membership still to be decided) that will review all NCS sanction decisions to ensure that the decision is congruent with WorkFirst policies (Comparison Chart, 1/4/06, p.2-3; Attachment B, p. 3).

Implementation Issues:

1. At the partial sanction case staffing, NCS case staffing, and subsequent NCS staffings, the policy states “Follow-up and do not sanction if find barriers or the sanction is inappropriate” (Sanction to NCS and Second and Subsequent NCS Sanctions 12/29/05). Attachment B, NCS, 2. directs caseworkers to “modify IRP and cure requirement as needed to address the barriers.” The documents do not provide explicit guidelines for caseworker decisions regarding the identification of barriers or the decision that a sanction is inappropriate. In the absence of guidelines or decision-making protocols, staff may be inconsistent in their application of this policy.

WorkFirst Response

Examples of appropriate and inappropriate reasons for sanctions will be provided in the manual and in training. The Community Services Office Administrator (CSOA) review and the State Review Panel will provide consistency to case situations that result in sanction. In addition, lessons learned from the State Review Panel will be used to improve training statewide.

2. Attachment B, 2f states that the client should not be sanctioned if DSHS “did not address barriers.” In that case, caseworkers are instructed to “[r]equire the person to come in for a full screening and evaluation so we can create a new IRP, as needed, and address the barriers.” The documents do not clearly address how this policy will be implemented if a client fails to attend the evaluation. For example, how will caseworkers determine that barriers have not been addressed if a client does not attend the case staffing (i.e., will this possibility only be available to clients who attend the case staffing?). Will the sanction be put on hold until the client comes in for the full evaluation?

WorkFirst Response

If a client does not participate in the evaluation, this is non-compliance with their Individual Responsibility Plan (IRP). (Given the assumption that we had provided sufficient support regarding child care and transportation to facilitate the client participating in the evaluation).

3. As noted above, a review of sanctioned cases is useful for identifying systematic errors in the application of sanctions but cannot identify similar errors in the decision *not* to apply a sanction in the case of apparently noncompliant behavior. CSO supervisors and the Sanction Review Panel will only review cases that are recommended for sanction or NCS. Reviewing cases in which noncompliant behaviors did not result in sanctions would provide a more complete assessment of whether sanctions are being applied consistently.

WorkFirst Response

We agree. The WorkFirst Performance team will develop a plan for auditing case records to identify consistent application of sanction practices.

4. Attachment B lists a number of review criteria that do not appear to be captured in e-JAS (e.g., identifying the date of the most recent screening and evaluation and how identified barriers were addressed). It is not clear how these data elements will be collected and monitored for review.

WorkFirst Response

We are modifying the e-JAS system in a manner that is consistent with data collection and increased accountability.

5. Caseworkers are required to document their attempts to re-engage families in sanction status (Sanction to NCS, 12/29/05, p. 1). Caseworkers can use a number of methods to try to engage families: monthly phone calls, sanction teams, home visits, visits by public health Nurse, monthly letters (Sanction to NCS, 12/29/05, p. 1). It appears that caseworkers can choose which mix of these to use (with the exception of the one required home visit attempt). This could lead to inconsistencies in the application of sanctions. For example, the intensity of reengagement efforts could be influenced by case worker caseloads rather than client needs.

WorkFirst Response

We agree. Client-engagement does need to be flexible so that caseworkers can use those tools that work most effectively with individual clients. The Community Services Division (CSD) plans to monitor sanction data at the office and worker level to determine if there are variances that require investigation.

Directive: *“Establish mechanisms to... address the consequences of societal issues like domestic violence and cultural barriers” (“Directive to Implement WorkFirst Reform,” 11/10/05, 2(d)(iv))*

The policy and procedure documents do not describe specific ways in which DSHS will take action to establish mechanisms to address these issues. The WorkFirst offices will screen for family violence, legal concerns, child care issues, medical emergencies, and Necessary Supplemental Accommodation (NSA) prior to imposing a 40% sanction (“Comparison of Current and New Sanction/Non-Compliance Sanction Policies,” 1/4/06, p. 2).

Prior to imposing a NCS, caseworkers would review a client’s file at the case staffing to ensure that the client had been screened for these same barriers. If a client attends the case staffing, they have the opportunity to revise their IRP to address new barriers (“Roll-Out of NCS Policy,” n.d.).

Case staffings may include tribal representatives or refugee providers (“Roll-Out of NCS Policy,” n.d.).

Implementation issues:

1. Barriers related to societal issues are particularly difficult to identify. Clients may be unable to identify some barriers (e.g., cultural barriers) and reluctant to disclose sensitive issues (such as domestic violence). Caseworkers may not have the skills to identify and discuss these issues or the incentive to do so if it might increase their own workload. The documents do not describe tools or protocols that are currently used for identifying these issues or plans to develop new processes. The effectiveness and consistency with which these issues are identified and addressed in the sanctioning process will depend on the adequacy of these processes.

WorkFirst Response

The current tools and policies for working with victims of domestic violence have been developed in conjunction with domestic violence experts. We are working on developing training for implementation of the comprehensive assessment. We plan to engage community partners and welfare advocates in providing input into the content of training materials.

Directive: *Establish mechanisms to... examine the issues of racial or ethnic disproportionality* (“Directive to Implement WorkFirst Reform,” 11/10/05, 2(d)(iv))

There is no mention of what mechanisms DSHS will establish to examine these issues in the documents provided.

DSHS has contracted with the University of Washington School of Social Work to examine the policies, processes, and implementation of the new sanction policy. In addition, the UW team will analyze the imposition of sanctions to assess variation associated with client characteristics, local economic characteristics, and regional and local office resources.

Implementation Issues:

1. New guidelines, case reviews, the CSO level review, and the Sanction Review panel review could decrease racial or ethnic disproportionality by monitoring the consistency in the application of sanctions. There are no stated procedures for using information from these processes to examine or address disproportionate outcomes on an ongoing basis at the office, regional or state level.

WorkFirst Response

We will pull baseline data on the characteristics of clients in general and those in sanction and will use the data to monitor trends in outcomes.

2. Disproportionality may result from dissimilar treatment of similar individuals or it may result from group-level differences (e.g. in education, employment opportunities or family situations) even when policies are applied consistently. There are no stated procedures for distinguishing between these in on-going monitoring.

WorkFirst Response

The Government Management Accountability and Performance (GMAP) process will eventually look at variation in the characteristics of clients and the activities of clients at the regional and CSO levels. Race and ethnicity data will be collected on many of the performance measures.

3. Examining variation in both the application and non-application of sanctions would provide the most accurate measure of differential treatment. The current review processes will not provide this information, though the UW evaluation will address this.

WorkFirst Response

We agree. The University of Washington will provide a proposed approach to evaluate the variation in application and non-application of sanctions.

4. The evaluation contract with the University of Washington is designed to address these questions and provide further information.

Directive: “**Work with community and faith-based organizations to help those who are at highest risk of sanction**” (*“Directive to Implement WorkFirst Reform,” 11/10/05, 2(d)(vi)*)

There is no mention of how DSHS will work with these organizations beyond the possible involvement of individuals in case staffings (discussed above) and the referral of clients to community resources (discussed above). None of these specifically address involvement for those who are at the highest risk of sanction, or how this group of clients would be identified.

WorkFirst Response

We plan to continue to engage the community participants through the local planning area processes.